



City of Seattle

**Department of Planning and Development**  
Diane M. Sugimura, Director

**CITY OF SEATTLE  
ANALYSIS, RECOMMENDATION AND DECISION OF THE DIRECTOR OF  
THE DEPARTMENT OF PLANNING AND DEVELOPMENT**

**Application Numbers:** 3012198  
**Applicant Name:** Michael Willis  
**Address of Proposal:** 524 Broadway

**SUMMARY OF PROPOSED ACTIONS**

Land Use Application to allow a seven story, mixed use building with 200-unit residential building, 5,000 sq. ft. of commercial space and two live/work units. Review includes demolition of one mixed use structure and 16,000 cubic yards of grading. Parking for 110 vehicles will be located below grade.

The following approvals are required:

**Design Review - Seattle Municipal Code (SMC) Section 23.41**

**SEPA - Environmental Determination** pursuant to SMC 25.05

**SEPA DETERMINATION:** ☐ Exempt ☐ DNS ☐ MDNS ☐ EIS  
☒ DNS with conditions\*  
☐ DNS involving non-exempt grading or demolition or  
involving another agency with jurisdiction

\* Notice of the Early Determination of Non-significance was published on September 15, 2011.

## **PROJECT DESCRIPTION**

The applicant proposes to design and construct a seven-story mixed use building with 200 residential units, two live/work units facing East James St. and approximately 5,000 square feet of commercial space fronting on to Broadway. The proposed demolition would require the demolition of a brick, mixed use building and an associated 64 space parking lot.

The applicant presented three massing options at the initial Early Design Guidance meeting. These ranged from a traditional courtyard scheme (option #1) rung by apartments units on four sides to an “L” shaped scheme with a smaller mass nestled in the void created by the larger volume (option # 2) to a third scheme partially resembling a “C” scheme with a court facing the east and a portion of the south elevation slight setback (15’) from the adjacent property. The schemes possess several commonalities. All would sit on a parking podium with garage access at the alley, commercial space would either anchor the northwest corner or lie situated along Broadway at street level and a setback above level two would overlook Broadway. The setback mimics the three level high podiums established by several of the larger office and institutional buildings due to setback requirements from power lines. All three of the schemes bring the bulk of the mass to E. James St. and Broadway leaving cut outs of open space on the east and south edges (options #2 and 3) or in a central courtyard (option #1). The third option distinguishes itself with the addition of live-work units facing E. James.

In response to the initial Board guidance, the applicant returned to the Board for a second EDG meeting. The architect presented three more options one of which was a refinement of previous option #3. The commonality among the new options included commercial use at the base of the structure along Broadway, live/work units stepping down the grade along E. James St, a formal residential entry off Broadway, parking accessed from the alley, and residential units on seven floors beginning at the alley grade. The shorter mass of the “T-shape” scheme (labeled option #4) lies situated along E. James. The longer spine of the “T” runs north and south forming open spaces at the alley and one-story above Broadway. This scheme responded to the Board’s request for an “I” scheme. According to the architect, neither the “T” nor the “I” produces enough residential units to satisfy the developer’s program. Massing option #5 forms a large entry courtyard facing Broadway with commercial space at street level and residential units above wrapping around the open space. This scheme met the desired program.

The applicant’s preferred scheme flips the courtyard to face the east with its floor a few feet above alley grade. Residential units wrapped the three sides of the courtyard on all seven levels. The primary residential entry occurs on Broadway and a secondary one on E. James. Unlike the other schemes, the building sets back from Broadway at the third floor. In the previous two schemes the structure pulls back from Broadway at all levels to accommodate the power lines. Two modified options to the east courtyard showed 1) a courtyard raised one floor above the alley to connect on the same plane as the Broadway level and 2) a longer court (north and south), causing the reduction of the southern segment of the C shape with a single loaded corridor and a blank wall forming the south elevation.

By the Recommendation meeting, the applicant had refined the residential entries on Broadway and E. James, revised the court off the alley and modified the overall massing to meet the Board’s guidance.

## **SITE & VICINITY**

The 21,684.83 square foot site lies with a Neighborhood Commercial Three (NC3 85) with an 85' height limit zone. From the highest point near the intersection of Broadway and E. James St., the topography changes by approximately 14' (13%) along the north property line and roughly five to six feet (five percent) along Broadway. A three-story mixed use building (two stories on Broadway) occupies the northwest corner of the development site. Surface parking covers most of the property to the east and south of the structure. Two curb cuts connect to Broadway. The site also has access from the alley.

The NC3 85 zone continues north along Broadway. To the south, the NC3 85 zone transitions to NC3 65. Institutional overlay zones represent significant areas to the east and west. An underlying multifamily Midrise zoning sits to the east and NC3 85 to the west. Seattle University's major institution overlay (MIO) has a 105' height limit and heights of Swedish Hospital's MIO district vary from 70 to 240 feet.

Two institutions, Swedish Hospital and Seattle University, comprise the largest property ownership in the area. The hospital complex, related medical office buildings, classrooms and dormitories represent the vicinity's dominant development. The institutional buildings and newer office buildings (primarily medical related) dominate the landscape in height and breadth, many of them full-block structures. Smaller residential and commercial buildings line portions of Broadway south of the site including the two buildings on the same block face as well as the apartment building across Broadway. Smaller grained development also occurs in the neighborhood beyond E. Jefferson St. to the south of Seattle University. Broadway marks a shift in the street grid. Several buildings conform to the wedge shape of their property. E. James Way extends the grid established on the west until it connects to E. Cherry St. The subject parcel lies to south of a wedge shaped portion of the right-of-way with considerable tree cover.

## **ANALYSIS - DESIGN REVIEW**

### **Public Comments**

Nine individuals affixed their names to the Initial Early Design Review sign-in sheet. Those who spoke raised the following issues:

- Setback: Explore the potential impacts of the setback departure.
- Access: Remove the fence near James St.
- E. James St:
  - Live/work on James St. could potentially contribute to the pedestrian experience.
  - A nice outdoor space could be developed along the E. James streetscape.
- Materials: The choice of materials could lend itself to the pedestrian connection.
- Options: Favors Option #2. The "L" shape has a clean shape.

At the second EDG meeting, one person signed-in. Comments included the following: E. James St. could be a pleasant pedestrian route from 12<sup>th</sup> Ave. to Broadway. A pedestrian scaled and oriented façade along E. James could be a significant portion of a longer pedestrian route. It is clear that the designers have given consideration to the north elevation.

## **GUIDELINES**

After visiting the site, considering the analysis of the site and context provided by the proponent, and hearing public comment, the Design Review Board members provided the siting and design guidance described below and identified highest priority by letter and number from the guidelines found in the City of Seattle's "Design Review: Guidelines for Multi-family and Commercial Buildings".

## **PRIORITIES**

### **A Site Planning**

**A-1 Responding to Site Characteristics. The siting of buildings should respond to specific site conditions and opportunities such as non-rectangular lots, location on prominent intersections, unusual topography, significant vegetation and views or other natural features.**

**A-2 Streetscape Compatibility. The siting of buildings should acknowledge and reinforce the existing desirable spatial characteristics of the right-of-way.**

The relationship of the proposed structure to East James St. and Broadway sidewalks generally met with the Board's approval. E. James St. may provide opportunities not yet explored by the architect. The Board observed that the primary residential entry could occur there. Does it make sense to place open space along E. James St. that connects with the intimate scale of the narrow street and the treed area in the right of way? At the next EDG meeting, the applicant will need to show scenarios that consider these issues. (June 15, 2011)

The building program along the two streetscapes met the Board's expectations. Creating a refined, pedestrian scale for the storefronts and live/work units along Broadway and E. James respectively will be the next level of design effort. The design should contribute to the pedestrian experience in a positive way by directly appealing to the walker's senses. (July 20, 2011)

**A-3 Entrances Visible from the Street. Entries should be clearly identifiable and visible from the street.**

The Board noted that the secondary residential entry on E. James could be marked with a canopy and a vertical notch as shown on the massing diagram and other renderings of the elevation. (July 20, 2011)

**A-4 Human Activity. New development should be sited and designed to encourage human activity on the street.**

As shown on all of the options, commercial uses along Broadway would likely encourage pedestrian activity. Positioning a courtyard along Broadway that serves both the residential entry and commercial use would also enhance street life. The Board noted that the proposal for the B & O Espresso site has this arrangement. (June 15, 2011)

See comments under Guidance A-2, B-1, C-4. (July 20, 2011)

- A-5 Respect for Adjacent Sites. Buildings should respect adjacent properties by being located on their sites to minimize disruption of the privacy and outdoor activities of residents in adjacent buildings.**

The Board found the applicant's desire to connect the proposal with the Seattle University campus quite tenuous. Campion Residence Hall forms a substantial wall or barrier between the subject property and the campus open spaces. The exploration of other partis or design options should illuminate other reasons for a strong design concept. (June 15, 2011)

- A-6 Transition Between Residence and Street. For residential projects, the space between the building and the sidewalk should provide security and privacy for residents and encourage social interaction among residents and neighbors.**

Placing the primary residential entry on E. James St. presents possibilities of shaping a delightful entry that connects with the intimacy of the right of way and the wooded wedge of land controlled by Seattle University. (June 15, 2011)

An entry courtyard will need to be established on the Broadway side that is larger than the notch presented at the meeting but smaller than the more private residential court facing Campion Hall. (July 20, 2011)

- A-7 Residential Open Space. Residential projects should be sited to maximize opportunities for creating usable, attractive, well-integrated open space.**

The Board finds the courtyard for Option #3 problematic. The benefits to the residents appear questionable as sunlight would never penetrate into the court (see shadow studies p. 19 of booklet). The court would sit at alley grade rather than at the level of Broadway and extend 70 feet to the roof. Only four units and an amenity space would have direct access to it. For Option # 3, the Board encouraged the applicant to enlarge the space and extend the width in an attempt to capture more light.

Shifting the courtyard to the Broadway side (The applicant should consider as another option.), the Board observed, would engage the residential entry and the commercial uses as well as provide more direct light. The Board encouraged the applicant to develop at least one other option as well.

The open space needs to be viable amenity for any of the schemes. (June 15, 2011)

Based on considered discussion, the Board agreed with the concept of an east facing courtyard. It will need to be part of a larger organizing idea or parti expressing a significant sequence of interior and exterior spaces that connect Broadway and the alley with one another. The spaces should flow physically and visually into one another with attractive stairs and/or terraces that aid and enhance the transition.

The courtyard and the east façade should be designed to support the applicant's stated desire that the alley be a "lane" rather than merely a service drive to the garage and trash/recycling area. (July 20, 2011)

- A-8 Parking and Vehicle Access. Siting should minimize the impact of automobile parking and driveways on the pedestrian environment, adjacent properties, and pedestrian safety.**

The Board agreed with the use of the alley for vehicular access. (June 15, 2011)

**A-10 Corner Lots. Building on corner lots should be oriented to the corner and public street fronts. Parking and automobile access should be located away from corners.**

Due to its focus on the massing options, the Board did not discuss the treatment of the corner. This issue may arise at another Board meeting. (June 15, 2011)

The façade at the Broadway and E. James corner should not be distinct in form, materials and color from the west and north elevations. The corner should discreetly allow the wrapping of materials and form from one elevation to another. (July 20, 2011)

**B. Height, Bulk and Scale**

**B-1 Height, Bulk, and Scale Compatibility. Projects should be compatible with the scale of development anticipated by the applicable Land Use Policies for the surrounding area and should be sited and designed to provide a sensitive transition to near-by, less intensive zones. Projects on zone edges should be developed in a manner that creates a step in perceived height, bulk, and scale between anticipated development potential of the adjacent zones.**

Setting back the building at the upper levels along Broadway due to the power lines resonated with the Board members. Most of the newer structures along Broadway have a setback at or near their third floor. Older buildings along Broadway generally were built to a height of two to three floors.

The vertical notch as represented in Option #3 or a placement of open space along Broadway would potentially provide a break in the street wall that may relate to the size, proportion and rhythm of the structures along this important arterial. (June 15, 2011)

How this building, with a bulk comparable to the large institutional and office buildings along Broadway, provides a sense of scale and proportion more suited to its residential use is of primary importance. Strategies for reducing the design's inclination toward horizontality should be implemented by establishing a courtyard on Broadway that potentially creates a vertical break mid-way in the elevation. (July 20, 2011)

**C. Architectural Elements and Materials**

**C-1 Architectural Context. New buildings proposed for existing neighborhoods with a well-defined and desirable character should be compatible with or complement the architectural character and siting pattern of neighboring buildings.**

The shift in the street grid (and the wedge created by James Way and E. James St.) combined with the diversity of building types and uses provides fecund opportunities for a variety of architectural solutions. See guidance A-5. (June 15, 2011)

The Board discussed at length the pattern language of the buildings along Broadway and the general vicinity. Although many of the institutional and residential structures on Broadway and on James /Cherry St. have plazas fronting the street, the Board concluded that a private residential courtyard facing the alley could work if a smaller entry plaza at Broadway was designed. The Board envisions a sequence of spaces that both visually and physically connects Broadway with the alley. From Broadway, an entry court, larger than the notch presented at the second EDG meeting, would establish the language of the sequence. Lobby, possibly amenity area, and terraces or stairs would continue the passage into the courtyard and then alley. The flow of spaces would need to work equally as well beginning in the alley and transitioning to the entry court at Broadway.

The corner at E. James and Broadway was not considered visually important enough to consider it as an element distinct from the two major street facades. Rather the Broadway elevation should wrap seamlessly around onto the E. James façade. (July 20, 2011)

- C-2 Architectural Concept and Consistency. Building design elements, details and massing should create a well-proportioned and unified building form and exhibit an overall architectural concept. Buildings should exhibit form and features identifying the functions within the building. In general, the roofline or top of the structure should be clearly distinguished from its facade walls.**

Development of three viable options is required for the next EDG presentation. These must possess strong architectural concepts. These may include an option in which the courtyard fronts onto Broadway. Another option may be an “I” shaped scheme in which the open spaces are more evenly distributed across the site. The Board also asked for further refinement of Option # 3 that responds to the concerns that the Board noted in the other guidelines. (June 15, 2011)

The Board did not particularly endorse the overall building image displayed by the architect. The structure needs to possess an attitude or architectural expression that distinguishes itself from the institutional buildings along Broadway. (July 20<sup>th</sup>, 2011)

- C-3 Human Scale. The design of new buildings should incorporate architectural features, elements, and details to achieve a good human scale.**

Given the large scale of newer buildings along Broadway, the architect will need to consider how elements of the building, particularly at the two street levels, will possess a scale meaningful to the pedestrian. (June 15, 2011)

See Board guidance C-4. (July 20, 2011)

- C-4 Exterior Finish Materials. Building exteriors should be constructed of durable and maintainable materials that are attractive even when viewed up close. Materials that have texture, pattern, or lend themselves to a high quality of detailing are encouraged.**

The Board will discuss finish materials at a later meeting. (June 15, 2011)

The appropriate materials and their detailing can enhance the pedestrian experience of the building at its lower levels. The right materials and detailing provide a sense of scale to an otherwise large structure. (July 20, 2011)

- C-5 Structured Parking Entrances. The presence and appearance of garage entrances should be minimized so that they do not dominate the street frontage of a building.**

Placement of the garage entrance at the alley resonated with the Board members. (June 15, 2011)

See D-8. (July 20, 2011)

## **D. Pedestrian Environment**

### **D-1 Pedestrian Open Spaces and Entrances. Convenient and attractive access to the building's entry should be provided. To ensure comfort and security, paths and entry areas should be sufficiently lighted and entry areas should be protected from the weather. Opportunities for creating lively, pedestrian-oriented open space should be considered.**

Board comments focused on the courtyard and the potential for open space and entrances along E. James. In option # 3, the courtyard appeared to a leftover or minor space. Without penetration of sunlight in the courtyard, the Board doubts the viability of a courtyard facing Campion Hall. Possibilities include raising the courtyard, changing the size and dimensions and moving it to another location.

The Board wondered why option #1 wasn't viable at seven stories (one floor less than shown) as it would have roughly the same number of units as option #3.

Future drawings of the courtyard and other significant open spaces should read as three dimensional spaces. (June 15, 2011)

As stated in previous guidance above (A-6, A-7, B-1, and C-1), a sequence of exterior and interior spaces will provide a strong organizing idea and will help inform many of the decisions regarding the sensibility of these spaces.

### **D-2 Blank Walls. Buildings should avoid large blank walls facing the street, especially near sidewalks. Where blank walls are unavoidable they should receive design treatment to increase pedestrian comfort and interest.**

The choice of live/work along James St. would reduce the likelihood of blank walls produced by a parking garage. (June 15, 2011)

### **D-5 Visual Impacts of Parking Structures. The visibility of all at-grade parking structures or accessory parking garages should be minimized. The parking portion of a structure should be architecturally compatible with the rest of the structure and streetscape. Open parking spaces and carports should be screened from the street and adjacent properties.**

See Board guidance for D-8. (July 20, 2011)

### **D-6 Screening of Dumpsters, Utilities, and Service Areas. Building sites should locate service elements like trash dumpsters, loading docks and mechanical equipment away from the street front where possible. When elements such as dumpsters, utility meters, mechanical units and service areas cannot be located away from the street front, they should be situated and screened from view and should not be located in the pedestrian right-of-way.**

At the EDG stage, this guideline was not discussed. (June 15, 2011)

See Board guidance for D-8. (July 20, 2011)



**D-7 Personal Safety and Security. Project design should consider opportunities for enhancing personal safety and security in the environment under review.**

**D-8 Treatment of Alleys. The design of alley entrances should enhance the pedestrian street front.**

As a single scheme eventually develops, the Board will review the design of the alley façade. (June 15, 2011)

The Board perceives the alley (elevated to “lane” by the applicant) as a significant feature of the proposal. In response to the applicant’s desire to front the residential courtyard nearly at grade with the alley, the Board stated that the alley façade, the landscaping along the alley, the parking garage entrance, and the service areas should be well designed and not appear as secondary or tertiary to the other street facades. Service oriented areas should be enclosed within the garage or recess into the wall at the alley.

The alley begins a sequence of spaces which are visually and physically linked between it and the primary entrance on Broadway.

The building’s entire east face cannot be an afterthought. Windows facing Campion Hall should be designed to maximize privacy (July 20, 2011)

**D-9 Commercial Signage. Signs should add interest to the street front environment and should be appropriate for the scale and character desired in the area.**

Review of commercial signage will occur at the Recommendation meeting. (June 15, 2011)

**D-10 Commercial Lighting. Appropriate levels of lighting should be provided in order to promote visual interest and a sense of security for people in commercial districts during evening hours. Lighting may be provided by incorporation into the building façade, the underside of overhead weather protection, on and around street furniture, in merchandising display windows, in landscaped areas, and/or on signage.**

Review of commercial lighting will occur at the Recommendation meeting. (June 15, 2011)

**D-11 Commercial Transparency. Commercial storefronts should be transparent, allowing for a direct visual connection between pedestrians on the sidewalk and the activities occurring on the interior of a building. Blank walls should be avoided.**

**D-12 Residential Entries and Transitions. For residential projects in commercial zones, the space between the residential entry and the sidewalk should provide security and privacy for residents and a visually interesting street front for pedestrians. Residential buildings should enhance the character of the streetscape with small gardens, stoops and other elements that work to create a transition between the public sidewalk and private entry.**

See guidance A-2, A-6, A-7 and E-1. (June 15, 2011)

## **E. Landscaping**

- E-1 Landscaping to Reinforce Design Continuity with Adjacent Sites. Where possible, and where there is not another overriding concern, landscaping should reinforce the character of neighboring properties and abutting streetscape.**

The frontage along E. James St. provides an opportunity to use landscaping to enhance the sense of intimacy already established along this short street. Once the design moves forward, the Board may address particular concerns. (June 15, 2011)

The applicant will need to show plans for the wedge of land in the E. James St. right of way. Facilities for the First Hill streetcar are intended to be located in this area. (July 20, 2011)

- E-2 Landscaping to Enhance the Building and/or Site. Landscaping, including living plant material, special pavements, trellises, screen walls, planters, site furniture, and similar features should be appropriately incorporated into the design to enhance the project.**

Resolution of the location of residential open space (A-7) is a prerequisite before the Board will discuss this guideline in detail. (June 15, 2011)

Areas expected to have a high degree of landscaping include the Broadway entry courtyard, the larger east facing courtyard, the rights of way along E. James St. and the alley. (July 20, 2011)

- E-3 Landscape Design to Address Special Site Conditions. The landscape design should take advantage of special on-site conditions such as high-bank front yards, steep slopes, view corridors, or existing significant trees and off-site conditions such as greenbelts, ravines, natural areas, and boulevards.**

The applicant indicated that the Seattle Department of Transportation recommends the preservation of a tree in the right-of-way near E. James St. and the alley. (June 15, 2011)

## **MASTER USE PERMIT APPLICATION**

The applicant revised the design and applied for a Master Use Permit with a design review component on August 24, 2011.

## **DESIGN REVIEW BOARD RECOMMENDATION**

The Design Review Board conducted a Final Recommendation Meeting on November 30, 2011 to review the applicant's formal project proposal developed in response to the previously identified priorities. At the public meetings, site plans, elevations, floor plans, landscaping plans, and computer renderings of the proposed exterior materials were presented for the Board members' consideration.

## **Public Comments**

At the Recommendation Meeting, two members of the public affixed their names to the sign-in sheet. One speaker asked whether the existing businesses would be relocated to the new building.

DPD received one comment letter in which the author requested the answers to a series of questions parking, construction, alley design and access.

### **A Site Planning**

**A-2 Streetscape Compatibility. The siting of buildings should acknowledge and reinforce the existing desirable spatial characteristics of the right-of-way.**

The Board's deliberation did not expand upon comments from the two EDG meetings.

**A-3 Entrances Visible from the Street. Entries should be clearly identifiable and visible from the street.**

The applicant's revision of the residential entrances on Broadway and E. James St. met with the Board's approval. A brief discussion focused on the size of the Broadway entrance plaza.

**A-4 Human Activity. New development should be sited and designed to encourage human activity on the street.**

Board members did not offer comments beyond those from the EDG meetings.

**A-5 Respect for Adjacent Sites. Buildings should respect adjacent properties by being located on their sites to minimize disruption of the privacy and outdoor activities of residents in adjacent buildings.**

The revised proposal met earlier guidance.

**A-6 Transition Between Residence and Street. For residential projects, the space between the building and the sidewalk should provide security and privacy for residents and encourage social interaction among residents and neighbors.**

Responding to EDG comments, the applicant submitted a larger entry plaza on Broadway which satisfied the Board.

**A-7 Residential Open Space. Residential projects should be sited to maximize opportunities for creating usable, attractive, well-integrated open space.**

The Board recommended a more refined progression of spaces between the Broadway entrance and the terrace above the courtyard. The architects must focus on emphasizing the experiential quality of the sequence of spaces which draw the individual through a public exterior space to two semi public interior spaces and to a semi-public exterior terrace / court. The separate spaces, although flowing into one another, should be well defined (e.g. shape or proportion, ceiling height, materials, level of transparency) and complement one another. The Board did not want to see the rooms narrowed as shown in the Recommendation drawings. The design should elicit a stronger visual connection between the entrance on one end and the sequence of interior and exterior amenity spaces on the other.

- A-8 Parking and Vehicle Access. Siting should minimize the impact of automobile parking and driveways on the pedestrian environment, adjacent properties, and pedestrian safety.**

No further discussion from the EDG meetings ensued.

- A-10 Corner Lots. Building on corner lots should be oriented to the corner and public street fronts. Parking and automobile access should be located away from corners.**

The Board recommended that the white fiber cement panel at the upper levels wrap around the northwest corner from the Broadway elevation to the E. James St. elevation. This will provide greater continuity along the two major street facades. In essence, the white box should complete itself on the Broadway and E. James corner.

## **B. Height, Bulk and Scale**

- B-1 Height, Bulk, and Scale Compatibility. Projects should be compatible with the scale of development anticipated by the applicable Land Use Policies for the surrounding area and should be sited and designed to provide a sensitive transition to near-by, less intensive zones. Projects on zone edges should be developed in a manner that creates a step in perceived height, bulk, and scale between anticipated development potential of the adjacent zones.**

Design revisions addressing bulk and scale made by the applicant between the second EDG meeting and the Recommendation meeting met with the Board's tacit approval.

## **C. Architectural Elements and Materials**

- C-1 Architectural Context. New buildings proposed for existing neighborhoods with a well-defined and desirable character should be compatible with or complement the architectural character and siting pattern of neighboring buildings.**

See B-1 comments.

- C-2 Architectural Concept and Consistency. Building design elements, details and massing should create a well-proportioned and unified building form and exhibit an overall architectural concept. Buildings should exhibit form and features identifying the functions within the building. In general, the roofline or top of the structure should be clearly distinguished from its facade walls.**

The overall façade strategy of vertically notching the building to mark residential entrances (west and north elevations) and horizontally notching the building at the third floor setback met with the Board's approval. For the most part, this works successfully on the west and north facades. Along the alley, the results made a less convincing impression upon the Board. The east elevation should be simplified following the rules established for the street facades. The number of bays should be reduced and simplified, vertical notching should be used at significant entries rather than to separate floating bays. The black masonry base should continue along the alley. Using white fiber cement panel in place of the yellow panel will also help to simplify the elevation.

See guideline A-10 for recommendations to modify the northwest corner.

The architects should simplify the larger massing elements on the facades by eliminating or modifying some of the detailing. For example, elements such as the lintels, metal panels and white coping at the masonry base were questioned. The Board observed that the white coping at the brick base produces too much contrast. The Board members also preferred a white spandrel rather than a grey one to match the white fiber cement panels defining the upper residential levels. At the three upper levels on Broadway and the four higher levels on E. James, the grey should denote in the inside wall of the balconies and the white skin the outer most walls of the units.

**C-3 Human Scale. The design of new buildings should incorporate architectural features, elements, and details to achieve a good human scale.**

The Board members asked the architects to consider the detailing of the underside of the canopies. Revision of the canopy should provide a sense of scale.

**C-4 Exterior Finish Materials. Building exteriors should be constructed of durable and maintainable materials that are attractive even when viewed up close. Materials that have texture, pattern, or lend themselves to a high quality of detailing are encouraged.**

The Board recommended changing the yellow finch color on the east and south elevations to white and replacing the CMU along the alley with black brick. See Recommendations for guidance C-2.

**C-5 Structured Parking Entrances. The presence and appearance of garage entrances should be minimized so that they do not dominate the street frontage of a building.**

The Board did not expand upon the guidance from the EDG meetings.

**D. Pedestrian Environment**

**D-1 Pedestrian Open Spaces and Entrances. Convenient and attractive access to the building's entry should be provided. To ensure comfort and security, paths and entry areas should be sufficiently lighted and entry areas should be protected from the weather. Opportunities for creating lively, pedestrian-oriented open space should be considered.**

Considerable amount of attention focused on the sequence of exterior and interior spaces that provide the project with a strong organizing idea. The Board asked for a revision of these spaces to create greater clarity. See expanded comments under A-7.

**D-2 Blank Walls. Buildings should avoid large blank walls facing the street, especially near sidewalks. Where blank walls are unavoidable they should receive design treatment to increase pedestrian comfort and interest.**

The Board briefly discussed the arrangement of the live/work units fronting on E. James but did not request modifications to the design.

- D-5 Visual Impacts of Parking Structures.** The visibility of all at-grade parking structures or accessory parking garages should be minimized. The parking portion of a structure should be architecturally compatible with the rest of the structure and streetscape. Open parking spaces and carports should be screened from the street and adjacent properties.

The Board asked for modifications to the masonry along the alley. See recommendations D-8.

- D-6 Screening of Dumpsters, Utilities, and Service Areas.** Building sites should locate service elements like trash dumpsters, loading docks and mechanical equipment away from the street front where possible. When elements such as dumpsters, utility meters, mechanical units and service areas cannot be located away from the street front, they should be situated and screened from view and should not be located in the pedestrian right-of-way.

No further discussion ensued.

- D-8 Treatment of Alleys.** The design of alley entrances should enhance the pedestrian street front.

The Board recommended a simpler alley façade more in keeping with the ideas embedded within the west and north facades. Continue the black brick along the base of the alley in order to replace the beige concrete masonry unit, replace the yellow finch color from the façade with white panels, and simplify the composition of bays and notches. See recommendations from C-2.

- D-9 Commercial Signage.** Signs should add interest to the street front environment and should be appropriate for the scale and character desired in the area.

The Board did not discuss commercial signage; however, it should resemble the blade sign styles shown on p. 23 of the Recommendation packet.

- D-10 Commercial Lighting.** Appropriate levels of lighting should be provided in order to promote visual interest and a sense of security for people in commercial districts during evening hours. Lighting may be provided by incorporation into the building façade, the underside of overhead weather protection, on and around street furniture, in merchandising display windows, in landscaped areas, and/or on signage.

Location and style of lighting fixtures should resemble the images provided on p. 22 of the Recommendation packet.

- D-11 Commercial Transparency.** Commercial storefronts should be transparent, allowing for a direct visual connection between pedestrians on the sidewalk and the activities occurring on the interior of a building. Blank walls should be avoided.

The design of the storefronts should remain the same as shown in the Recommendation meeting presentation drawings.

- D-12 Residential Entries and Transitions.** For residential projects in commercial zones, the space between the residential entry and the sidewalk should provide security and privacy for residents and a visually interesting street front for pedestrians. Residential buildings should enhance the character of the streetscape with small gardens, stoops and other elements that work to create a transition between the public sidewalk and private entry.

In general, the designs of the residential entry plazas and court met with the Board's approval.

## **E. Landscaping**

- E-1 Landscaping to Reinforce Design Continuity with Adjacent Sites.** Where possible, and where there is not another overriding concern, landscaping should reinforce the character of neighboring properties and abutting streetscape.

The Board made no further recommendations on the landscape plan provided at the meeting. Landscaping will need to resemble the images on pp. 20-21 of the Recommendation packet.

- E-2 Landscaping to Enhance the Building and/or Site.** Landscaping, including living plant material, special pavements, trellises, screen walls, planters, site furniture, and similar features should be appropriately incorporated into the design to enhance the project.

See comments from E-1.

**Board Recommendations:** The recommendations summarized below were based on the plans submitted at the November 30, 2011 meeting. Design, siting or architectural details not specifically identified or altered in these recommendations are expected to remain as presented in the plans and other drawings available at the November 30th public meeting. After considering the site and context, hearing public comment, reconsidering the previously identified design priorities, and reviewing the plans and renderings, the four Design Review Board members present unanimously recommended approval of the subject design and the requested development standard departures from the requirements of the Land Use Code (listed below).

STANDARD	REQUIREMENT	REQUEST	JUSTIFICATION	RECOMMENDATION
1. Rear Setback. SMC 23.47. 014b.3.	Setback across an alley from a residential zone, 15' for portions of 13' to 40' in height and 2' for every 10' of height exceeding 40'.	Below 40': addition of 1,634 sq. ft. Above 40: addition of 3, 776 sq. ft. Total additional sq. ft. equals 5,410.	<ul style="list-style-type: none"> <li>Establishes courtyard along alley</li> <li>Proposed structure smaller in scale than Campion residence hall</li> </ul>	Recommended approval.

The Board recommended the following **CONDITIONS** for the project. (Authority referenced in the letter and number in parenthesis):

1. Emphasize the experiential quality of the sequence of spaces beginning with the Broadway public plaza continuing through two, semi public interior spaces and ending at the a semi-public exterior terrace / court. The separate spaces, although flowing into one another, should be well defined (e.g. shape or proportion, ceiling height, materials, level of transparency) and complement one another. The spaces should not be narrowed as shown in the Recommendation drawings. The design should elicit a stronger visual connection between the Broadway entrance on one end and the exterior amenity spaces on the other. (A-7)
2. Use white fiber cement panel at the upper residential levels to wrap around the northwest corner from the Broadway elevation to the E. James St. elevation to provide greater continuity along the two major street facades. (A-10)
3. Simplify the east elevation by following the rules established for the street facades. The number of bays should be reduced and simplified, vertical notching should be used at significant entries rather than used to separate bays. Continue the black masonry base along the alley. Use white fiber cement panel in place of the yellow panel. (C-2, D-5, D-8)
4. Simplify the larger massing elements on the facades by eliminating or modifying some of the detailing. For example, revise elements such as the lintels, metal panels and white coping at the masonry base. Use a white spandrel rather than a grey one to match the white fiber cement panels defining the upper residential levels. At the three upper levels on Broadway and the four higher levels on E. James, the grey should denote the inside wall of the balconies and the white skin the outer most walls of the units. (C-2)
5. The detailing of the underside of the canopies along Broadway should provide a sense of scale at the streetscape. (C-3, D-8)
6. Change the yellow finch color on the east and south elevations to match the white. (C-4)

### **DIRECTOR'S ANALYSIS - DESIGN REVIEW**

The Director finds no conflicts with SEPA requirements or state or federal laws, and has reviewed the City-wide Design Guidelines and finds that the Board neither exceeded its authority nor applied the guidelines inconsistently in the approval of this design. The Director agrees with the conditions recommended by the four Board members and the recommendation to approve the design, as stated above.

### **DECISION - DESIGN REVIEW**

The proposed design is **CONDITIONALLY GRANTED**.

### **ANALYSIS - SEPA**

The initial disclosure of the potential impacts from this project was made in the environmental checklist submitted by the applicant dated October 17, 2011. The information in the checklist, project plans, and the experience of the lead agency with review of similar projects form the



basis for this analysis and decision. The SEPA Overview Policy (SMC 25.05.665 D) clarifies the relationship between codes, policies, and environmental review. Specific policies for each element of the environment, certain neighborhood plans and other policies explicitly referenced may serve as the basis for exercising substantive SEPA authority.

The Overview Policy states in part: "where City regulations have been adopted to address an environmental impact, it shall be presumed that such regulations are adequate to achieve sufficient mitigation" (subject to some limitations). Under certain limitations and/or circumstances (SMC 25.05.665 D 1-7) mitigation can be considered. Thus, a more detailed discussion of some of the impacts is appropriate.

### Short-term Impacts

Construction activities could result in the following adverse impacts: construction dust and storm water runoff, erosion, emissions from construction machinery and vehicles, increased particulate levels, increased noise levels, occasional disruption of adjacent vehicular and pedestrian traffic, and a small increase in traffic and parking impacts due to construction related vehicles. Several construction-related impacts are mitigated by existing City codes and ordinances applicable to the project such as: the Noise Ordinance, the Stormwater Grading and Drainage Control Code, the Street Use Ordinance, and the Building Code. The following is an analysis of construction-related noise, air quality, earth, grading, construction impacts, traffic and parking impacts as well as its mitigation.

### Noise

Noise associated with construction of the mixed use building and future phases could adversely affect surrounding uses in the area, which include residential uses. Surrounding uses are likely to be adversely impacted by noise throughout the duration of construction activities. Due to the proximity of the project site to residential uses, the limitations of the Noise Ordinance are found to be inadequate to mitigate the potential noise impacts. Pursuant to the SEPA Overview Policy (SMC.25.05.665) and the SEPA Construction Impacts Policy (SMC 25.05.675 B), mitigation is warranted.

Prior to issuance of demolition, grading and building permits, the applicant will submit a construction noise mitigation plan. This plan will include steps 1) to limit noise decibel levels and duration and 2) procedures for advanced notice to surrounding properties. The plan will be subject to review and approval by DPD. In addition to the Noise Ordinance requirements to reduce the noise impact of construction on nearby properties, all construction activities shall be limited to the following:

- 1) Non-holiday weekdays between 7:00 A.M and 6:00 P.M.
- 2) Non-holiday weekdays between 6:00 P.M. and 8:00 P.M limited to quieter activities based on a DPD approved mitigation plan and public notice program outlined in the plan.
- 3) Saturdays between 9:00 A.M. and 6:00 P.M. limited to quieter activities based on a DPD approved mitigation plan and public notice program outlined in the plan.
- 4) Emergencies or work which must be done to coincide with street closures, utility interruptions or other similar necessary events, limited to quieter activities based on a DPD approved mitigation plan and public notice program outlined in the plan.

### Air Quality

Construction for this project is expected to add temporarily particulates to the air that will result in a slight increase in auto-generated air contaminants from construction activities, equipment and worker vehicles; however, this increase is not anticipated to be significant. Federal auto emission controls are the primary means of mitigating air quality impacts from motor vehicles as stated in the Air Quality Policy (Section 25.05.675 SMC). To mitigate impacts of exhaust fumes on the directly adjacent residential uses, trucks hauling materials to and from the project site will not be allowed to queue on streets under windows of the nearby residential buildings.

Should asbestos be identified on the site, it must be removed in accordance with the Puget Sound Clean Air Agency (PSCAA) and City requirements. PSCAA regulations require control of fugitive dust to protect air quality and require permits for removal of asbestos during demolition. In order to ensure that PSCAA will be notified of the proposed demolition, a condition will be included pursuant to SEPA authority under SMC 25.05.675A which requires that a copy of the PSCAA permit be attached to the demolition permit, prior to issuance. This will assure proper handling and disposal of asbestos.

### Earth

The Stormwater, Grading and Drainage Control Code requires preparation of a soils report to evaluate the site conditions and provide recommendations for safe construction on sites where grading will involve cuts or fills of greater than three feet in height or grading greater than 100 cubic yards of material.

The soils report, construction plans, and shoring of excavations as needed, will be reviewed by the DPD Geo-technical Engineer and Building Plans Examiner who will require any additional soils-related information, recommendations, declarations, covenants and bonds as necessary to assure safe grading and excavation. This project constitutes a "large project" under the terms of the SGDCC (SMC 22.802.015 D). As such, there are many additional requirements for erosion control including a provision for implementation of best management practices and a requirement for incorporation of an engineered erosion control plan which will be reviewed jointly by the DPD building plans examiner and geo-technical engineer prior to issuance of the permit. The Stormwater, Grading and Drainage Control Code provides extensive conditioning authority and prescriptive construction methodology to assure safe construction techniques are used; therefore, no additional conditioning is warranted pursuant to SEPA policies.

### Grading

Excavation to construct the mixed use structure will be necessary. The maximum depth of the excavation is approximately 16 feet and will consist of an estimated 16,000 cubic yards of material. The soil removed will not be reused on the site and will need to be disposed off-site by trucks. City code (SMC 11.74) provides that material hauled in trucks not be spilled during transport. The City requires that a minimum of one foot of "freeboard" (area from level of material to the top of the truck container) be provided in loaded uncovered trucks which minimize the amount of spilled material and dust from the truck bed enroute to or from a site. Future phases of construction will be subject to the same regulations. No further conditioning of the grading/excavation element of the project is warranted pursuant to SEPA policies.

### Construction Impacts

Construction activities including construction worker commutes, truck trips, the operation of construction equipment and machinery, and the manufacture of the construction materials themselves result in increases in carbon dioxide and other greenhouse gas emissions which adversely impact air quality and contribute to climate change and global warming. While these impacts are adverse, they are not expected to be significant.

### Traffic and Parking

Duration of construction of the apartment building may last approximately 14 months. During construction, parking demand will increase due to additional demand created by construction personnel and equipment. It is the City's policy to minimize temporary adverse impacts associated with construction activities and parking (SMC 25.05.675 B and M). Parking utilization along streets in the vicinity is near capacity and the demand for parking by construction workers during construction could reduce the supply of parking in the vicinity. Due to the large scale of the project, this temporary demand on the on-street parking in the vicinity due to construction workers' vehicles may be adverse. Upon completion of the parking garage, construction workers shall park in the garage. The authority to impose this condition is found in Section 25.05.675B2g of the Seattle SEPA Ordinance.

The construction of the project also will have adverse impacts on both vehicular and pedestrian traffic in the vicinity of the project site. During construction a temporary increase in traffic volumes to the site will occur, due to travel to the site by construction workers and the transport of construction materials. Approximately 16,000 cubic yards of soil are expected to be excavated from the project site. The soil removed for the garage structure will not be reused on the site and will need to be disposed off-site. Excavation and fill activity will require approximately 1,600 round trips with 10-yard hauling trucks or 800 round trips with 20-yard hauling trucks. Considering the large volumes of truck trips anticipated during construction, it is reasonable that truck traffic avoid the afternoon peak hours. Large (greater than two-axle) trucks will be prohibited from entering or exiting the site after 3:30 PM.

Truck access to and from the site shall be documented in a construction traffic management plan, to be submitted to DPD and SDOT prior to the beginning of construction. This plan also shall indicate how pedestrian connections around the site will be maintained during the construction period, with particular consideration given to maintaining pedestrian access along Broadway. Compliance with Seattle's Street Use Ordinance is expected to mitigate any additional adverse impacts to traffic which would be generated during construction of this proposal.

### Long-term Impacts

Long-term or use-related impacts are also anticipated as a result of approval of this proposal including: increased surface water runoff due to greater site coverage by impervious surfaces; increased bulk and scale on the site; increased traffic in the area; increased demand for parking; and increased light and glare.

Several adopted City codes and/or ordinances provide mitigation for some of the identified impacts. Specifically these are: The Stormwater, Grading and Drainage Control Code which requires on site collection of stormwater with provisions for controlled tightline release to an approved outlet and may require additional design elements to prevent isolated flooding; the City

Energy Code which will require insulation for outside walls and energy efficient windows; and the Land Use Code which controls site coverage, setbacks, building height and use and contains other development and use regulations to assure compatible development. Compliance with these applicable codes and ordinances is adequate to achieve sufficient mitigation of most long-term impacts and no further conditioning is warranted by SEPA policies. However, due to the size and location of this proposal, green house gas emissions, traffic, parking impacts and public view protection warrant further analysis.

#### Greenhouse Gas Emissions

Operational activities, primarily vehicular trips associated with the project and the project's energy consumption, are expected to result in increases in carbon dioxide and other greenhouse gas emissions which adversely impact air quality and contribute to climate change and global warming. While these impacts are adverse, they are not expected to be significant.

#### Historic Preservation

The existing structure, built in 1906, was reviewed by the Department of Neighborhoods and determined that it is unlikely, due in part to a loss of integrity, that the existing mixed use building would meet the standards for designation as an individual landmark.

#### Traffic and Transportation

The proposed apartment development would produce 1,238 new daily trips, 117 new PM peak hour trips. The addition of the new apartment complex would not cause any of the five study intersections and the site access (James St. / Boren Ave.; Broadway / James St; Broadway / Jefferson St; E. James St / E. Jefferson St.; E. Jefferson St. / 12<sup>th</sup> Ave; E.; E. James St. / Site Access) to degrade to an unsatisfactory level of service. The two site accesses will operate at a level of service A with 9 seconds of delay.

No SEPA mitigation of traffic impacts to the nearby intersections is warranted.

#### Parking

The development site lies within the 12<sup>th</sup> Avenue Urban Center Village which, based on the Land Use Code section 23.54.015, does not require parking. The applicant intends to supply 110 on-site parking spaces. The proposed supply would meet parking demand produced by the new development. Were

#### Summary

In conclusion, several adverse effects on the environment are anticipated resulting from the proposal, which are anticipated to be non-significant. The conditions imposed below are intended to mitigate construction impacts identified in the foregoing analysis, or to control impacts not regulated by codes or ordinances, per adopted City policies.

## **DECISION - SEPA**

This decision was made after review by the responsible official on behalf of the lead agency of a completed environmental checklist and other information on file with the responsible department. This constitutes the Threshold Determination and form. The intent of this declaration is to satisfy the requirements of the State Environmental Policy Act (RCW 43.21C), including the requirement to inform the public agency decisions pursuant to SEPA.

- [X] Determination of Non-Significance. This proposal has been determined to not have a significant adverse impact upon the environment. An EIS is not required under RCW 43.21C.030 2C.
- [ ] Determination of Significance. This proposal has or may have a significant adverse impact upon the environment. An EIS is required under RCW 43.21C.030 2C.

## **CONDITIONS – DESIGN REVIEW**

### **Prior to MUP Issuance**

Revise plans sets to show:

1. Emphasize the experiential quality of the sequence of spaces beginning with the Broadway public plaza continuing through two, semi public interior spaces and ending at the a semi-public exterior terrace / court. The separate spaces, although flowing into one another, should be well defined (e.g. shape or proportion, ceiling height, materials, level of transparency) and complement one another. The spaces should not be narrowed as shown in the Recommendation drawings. The design should elicit a stronger visual connection between the Broadway entrance on one end and the exterior amenity spaces on the other.
2. Use white fiber cement panel at the upper residential levels to wrap around the northwest corner from the Broadway elevation to the E. James St. elevation to provide greater continuity along the two major street facades.
3. Simplify the east elevation by following the rules established for the street facades. The number of bays should be reduced and simplified, vertical notching should be used at significant entries rather than used to separate bays. Continue the black masonry base along the alley. Use white fiber cement panel in place of the yellow panel.
4. Simplify the larger massing elements on the facades by eliminating or modifying some of the detailing. For example, revise elements such as the lintels, metal panels and white coping at the masonry base. Use a white spandrel rather than a grey one to match the white fiber cement panels defining the upper residential levels. At the three upper levels on Broadway and the four higher levels on E. James, the grey should denote the inside wall of the balconies and the white skin the outer most walls of the units.
5. The detailing of the underside of the canopies along Broadway should provide a sense of scale at the streetscape.
6. Change the yellow finch color on the east and south elevations to match the white.

### **Prior to Building Application**

7. Include the departure matrix in the zoning summary section on all subsequent building permit plans. Add call-out notes on appropriate plan and elevation drawings in the updated MUP plans and on all subsequent building permit plans.

Prior to Commencement of Construction

8. Arrange a pre-construction meeting with the building contractor, building inspector, and land use planner to discuss expectations and details of the Design Review component of the project.

Prior to Issuance of all Construction Permits

9. Embed the MUP conditions in the cover sheet for all subsequent permits including updated building permit drawings.

Prior to Issuance of a Certificate of Occupancy

10. Compliance with all images and text on the MUP drawings, design review meeting guidelines and approved design features and elements (including exterior materials, landscaping and ROW improvements) shall be verified by the DPD planner assigned to this project (Bruce P. Rips, 206.615-1392). An appointment with the assigned Land Use Planner must be made at least three (3) working days in advance of field inspection. The Land Use Planner will determine whether submission of revised plans is required to ensure that compliance has been achieved.

For the Life of the Project

11. Any proposed changes to the exterior of the building or the site or must be submitted to DPD for review and approval by the Land Use Planner (Bruce Rips, 206.615-1392) or by the Design Review Manager. Any proposed changes to the improvements in the public right-of-way must be submitted to DPD and SDOT for review and for final approval by SDOT.

**CONDITIONS – SEPA**

Prior to Issuance of a Demolition, Grading, or Building Permit

12. Attach a copy of the PSCAA demolition permit to the building permit set of plans.
13. A construction traffic management plan shall be submitted to DPD and SDOT prior to the beginning of construction. This plan will identify construction worker parking and construction materials staging area; truck access routes to and from the site for excavation and construction phases; and sidewalk and street closures with neighborhood notice and posting procedures.

During Construction

14. Condition(s) to be enforced during construction shall be posted at the site in a location on the property line that is visible and accessible to the public and to construction personnel from the street right-of-way. The conditions will be affixed to placards prepared by DPD. The placards will be issued along with the building permit set of plans. The placards shall be laminated with clear plastic or other weatherproofing material and shall remain in place for the duration of construction.

15. Grading, delivery and pouring of concrete and similar noisy activities will be prohibited on Saturdays and Sundays. In addition to the Noise Ordinance requirements, to reduce the noise impact of construction on nearby residences, only the low noise impact work such as that listed below, will be permitted on Saturdays from 9:00 A.M. to 6:00 P.M.:
  - A. Surveying and layout.
  - B. Testing and tensioning P. T. (post tensioned) cables, requiring only hydraulic equipment (no cable cutting allowed).
  - C. Other ancillary tasks to construction activities will include site security, surveillance, monitoring, and maintenance of weather protecting, water dams and heating equipment.
16. In addition to the Noise Ordinance, requirements to reduce the noise impact of construction on nearby properties, all construction activities shall be limited to the following:
  - A. Non-holiday weekdays between 7:00 A.M and 6:00 P.M.
  - B. Non-holiday weekdays between 6:00 P.M. and 8:00 P.M limited to quieter activities based on a DPD approved mitigation plan and public notice program outlined in the plan.
  - C. Saturdays between 9:00 A.M. and 6:00 P.M. limited to quieter activities based on a DPD approved mitigation plan and public notice program outlined in the plan.
  - D) Emergencies or work which must be done to coincide with street closures, utility interruptions or other similar necessary events, limited to quieter activities based on a DPD approved mitigation plan and public notice program outlined in the plan.
17. Large (greater than two-axle) trucks will be prohibited from entering or exiting the site after 3:30 PM.
18. Non-noisy activities, such as site security, monitoring, weather protection shall not be limited by this condition.

Compliance with all applicable conditions must be verified and approved by the Land Use Planner, Bruce Rips, (206-615-1392) at the specified development stage, as required by the Director's decision. The Land Use Planner shall determine whether the condition requires submission of additional documentation or field verification to assure that compliance has been achieved.

Signature: \_\_\_\_\_ (signature on file) Date: April 12, 2012  
Bruce P. Rips, AAIA, AICP  
Department of Planning and Development

BPR:bg

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